

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ERIK DANIEL MUEHLENBEIN,

Petitioner,

vs.

Case No. 06-CV-11861
HON. GEORGE CARAM STEEH

MILLICENT WARREN,

Respondent.

_____ /

ORDER GRANTING MOTION TO PROCEED
IN FORMA PAUPERIS ON APPEAL (#32) AND
DENYING MOTION FOR CERTIFICATE OF APPEALABILITY (#31)

Having reviewed petitioner Muehlenbein's motion for leave to proceed in forma pauperis on appeal, along with accompanying documents, the motion is hereby GRANTED pursuant to 28 U.S.C. § 1915(a). Petitioner Muehlenbein's motion for a certificate of appealability is hereby DENIED as MOOT as a certificate of appealability was ALREADY denied on September 20, 2007. Alternatively, the motion for a certificate of appealability is hereby DENIED on Muehlenbein's failure to make a substantial showing of the denial of a constitutional right. 28 U.S.C. § 2253(c)(2).

SO ORDERED.

Dated: November 7, 2007

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on
November 7, 2007, by electronic and/or ordinary mail.

s/Marcia Beauchemin
Deputy Clerk